



**City of Santa Clara
PLANNING COMMISSION
Wednesday, August 22, 2007
7:00 P.M.
CITY COUNCIL CHAMBERS
SUMMARY OF ACTIONS**

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.

Photographs of the Commissioners were taken for the City Calendar.

REGULAR ITEMS

1. PLEDGE OF ALLEGIANCE and INVOCATION

2. ROLL CALL

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

5. REQUESTS FOR WITHDRAWALS AND CONTINUANCES WITHOUT A HEARING

Item # 9 File: PLN2007-06448 Location: 2622 Painted Rock Drive
Item #12 File: PLN2007-06556 Location: 3540 Homestead Road

6. ITEMS FOR COUNCIL ACTION

The following items will be sent forward to the City Council following the conclusion of hearings and recommendations by the Planning Commission:

Agenda Item # File: CEQ2006-01036/PLN2006-05960 Location: 1460 Monroe Street

7. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

There were no oral petitions.

8. CONSENT CALENDAR

The following items routine administrative and public hearing items were approved under the Consent Calendar unless otherwise noted:

Routine Items/Consent Calendar

8.A. Planning Commission Minutes of July 25, 2007

Public Hearing Items/Consent Calendar

The following items with the exception of Agenda Item 8.A. was approved on the Consent Calendar and are final unless appealed within 7 calendar days or at the time of City Council review.

- 8.B.** File: **PLN2007-06581 (PLN2001-02545)**
Location: 4343 Stevens Creek Boulevard, a portion of a 6.91 acre parcel located on the north side of Stevens Creek Boulevard, approximately 300 feet west of Kiely Boulevard (APN 296-34-016). Property is Zoned CT.
Applicant: Hunter Alexander
Owner: Don Lucas/Auto Corp.
Request: Amend Condition #42 of previously approved Use Permit to remove requirement for a new masonry wall at north property line.
Project Planner: Jeffrey Schwilk, AICP, Associate Planner
- 8.C.** File: **PLN2007-06500**
Location: 2850 Augustine Drive, a 57,499 square foot lot located at the southeast corner of Augustine Drive and Lakeside Drive (APN 216-31-071). Property is zoned CP (Commercial Park).
Applicant: Malcolm Carruthers for RHL Design Group
Owner: McDonald's USA
Request: **Amendment of existing Use Permit** to allow 24-hour drive-thru use at existing McDonald's Restaurant
Project Planners: Douglas V. Handerson, AICP, Associate Planner
Marge Sung, Planning Intern
- 8.D.** File: **PLN2007-06463**
Location: 1253 Market Street, a 7,500 square foot lot located on the north side of Market Street, approximately 100 feet west of Jackson Street (APN 269-38-019). Property is Zoned RI-6L (Single Family Residential).
Applicant: Stephen Finhill
Owner: Chris Leahy
Request: **Variance** to allow increased of detached accessory floor area from 480 square feet of 731 square feet, and increase of detached accessory building height from 12 feet to 21 feet 5 inches in conjunction with the demolition of existing detached garage and the construction of a detached garage with accessory dwelling unit above.
Project Planner: Judith Silva, Associate Planner
Marge Sung, Planning Intern
- 8.E.** File: **PLN2007-06536**
Location: 1154 Inverness Avenue, a 11,667 square foot lot located on the westside of Inverness Avenue, approximately 170 feet north of Benton Street (APN 269-11-098). Property is Zoned RI-6L (Single Family Residential).
Applicant: Jason Mundy
Owner: Everest Romano
Request: **Variance** to allow reduced detached accessory building separation distance from 6 feet to 3 feet 5 inches, in conjunction with the construction of an addition to a single family residence.
Project Planner: Jenny Lee, Assistant Planner I

8.F. File: **PLN2007-06569 / PLN2006-06165**
Location: 790 Park Court and 77 Alviso Street, an 11,760 square foot lot fronting Park Court and Alviso Street, approximately 120 feet north of Newhall Street (APN 269-52-056). Property is zoned RI-6L (Single Family Residential).
Applicants/Owners: Patricia Correnti and Janet Hunter
Request: **Amend previously approved Variance** for reduced lot size at 77 Alviso Street
Project Planner: Jeffrey Schwilk, AICP, Associate Planner

8.G File: **PLN2007-06554**
Location: 111 Brookside Avenue, a 13,500 square foot lot on the west side of Brookside Avenue approximately 660 feet north of Stevens Creek Boulevard (APN 303-22-031). Property is Zoned RI-8L (Single Family Residential).
Applicant/Owner: Steve McCann
Request: **Variance** to allow increase in detached accessory building area from 480 to 1,544 square feet and increase in residential accessory building area from 640 to 707 square feet for construction of a new one-car garage and residential accessory unit at the rear of a single family residential property (an existing nonconforming 540 square foot, two-car garage built at the side property line is to remain).
Project Planner: Debby Fernandez, Assistant Planner II

8.H. File: **PLN2007-06560**
Location: 1711 Santa Cruz Avenue, a 5,670 square foot lot located on the eastside of Santa Cruz Avenue, approximately 200 feet north of Jerald Avenue (APN 220-31-037).
Applicant: John H, AIA
Owner: Tuan Ngo
Request: **Variance** to reduce rear yard setback ranging from 14 feet 4 inches to 17 feet, where 20 feet is required; and an increase in lot coverage to 46 percent, where 40 percent is the maximum allowed in conjunction with a 778 square foot single story addition to an existing single family residence.
Project Planner: Jenny Lee, Assistant Planner I

*******End of Consent Calendar*******

CONTINUED ITEMS

9. File: **PLN2007-06448**
Location: 2622 Painted Rock Drive, a 5,227 square foot lot located on the southwest corner of Painted Rock Drive and Agate Drive (APN 216-19-026). Property is Zoned R1-6L (Single Family Residential).
Applicant/Owner: Esperanca Rydberg
Request: **Variance** to allow an accessory building attached to an existing 1-car garage resulting in 660 square feet in size, to exceed the 480 square foot maximum allowance for single-family residential properties.
Project Planner: Jenny Lee, Assistant Planner I
Commission Action: **Continued to September 26, 2007**
10. File: **PLN2006-05735**
Location: 1444 Market Street, a 5,000 sq. ft. lot on the south side of Market Street, in a Single Family Residence (R1-6L) Zoning District, Approximately 100 ft. west of Madison Street (APN 269-35-044)
Owner: Lisa Freitas
Request: **Revocation of previously approved Variance** for substandard side yard setbacks and a one-car garage where 2 are required, in conjunction with reconstruction and addition to the rear of a single family residence due to illegal demolition of a Historically Significant Structure
Project Planner: Judith Silva, Associate Planner
Commission Action: **Revoked Variance File PLN2006-05735**
11. File: **PLN2006-05960 / CEQ2006-01036**
Location: 1460 Monroe Street, four lots totaling 19,130 square feet at the southwest corner of El Camino Real and Monroe Street (APNs: 269-03-067, 068, 142 and 143). Properties are Zoned CT (Thoroughfare Commercial).
Applicants/Owners: Fred Raia and Brian Wilson
Request: **Adopt Mitigated Negative Declaration;**
General Plan Amendment #65 from Gateway Thoroughfare to Transit-Oriented Mixed Use;
Rezone from CT (Thoroughfare Commercial) to PD (Planned Development) to construct a four-story mixed use development with ground floor retail and 18 dwelling units above, in conjunction with the demolition of an existing office/commercial building; and
Modification to reduce minimum parking requirement from 45 to 43 spaces.
Project Planner: Debby Fernandez, Assistant Planner II
Commission Action: **Adopted Mitigated Negative Declaration and Approved Modification**
Commission Recommendation: **Approve General Plan Amendment #65 and Rezoning, subject to conditions**

USE PERMITS

12. File: **PLN2007-06556**

Location: 3540 Homestead Road, a 1,794 square foot tenant space within a 6-acre shopping center located at the southeast corner of Homestead Road and Lawrence Expressway (APN 293-02-034). Property is Zoned CC (Community Commercial).

Applicant: 7080 Café
 Owner: Marchese Family
 Request: **Amend Use Permit** (U.1427) for restaurant to allow karaoke live entertainment, full alcoholic beverage bar service and additional indoor seating

Project Planner: Jeffrey Schwilk, AICP, Associate Planner

Commission Action: **Continued to September 26, 2007 at the applicant's request**

VARIANCES

- 13.** File: **PLN2006-05926 (SCH#2006052162)**
 Location: 2855 Stevens Creek Boulevard (Westfield Valley Fair Shopping Center) located at the northeast corner of Stevens Creek and Winchester Boulevards (APN 274-43-040, 043, 059, 061, 062, 066, 071 and 080). Property is Zoned CC (Community Commercial).
- Applicant/Owner: Westfield Valley Fair Mall, LLC
 Request: **Variance** to reduce building and landscape setback from 25 feet to 5 feet in conjunction with the expansion of the Valley Fair Shopping Center; and
Adopt Findings for the City of San Jose Certified FEIR for the Valley Fair Expansion Project
- Project Planners: Gloria Sciara, AICP, Development Review Officer and Judith Silva, Associate Planner
- Commission Action:** **Adopted Findings with respect to the Certified FEIR and Approved of the Mitigation Monitoring Program; and Approved Variance, subject to conditions**
- 14.** File: **PLN2007-06336**
 Location: 1550 Fremont Street, a 15,255 square foot lot on the southside of Fremont Street, approximately 100 feet east of Lincoln Street (APN 269-13-018). Property is zoned RI-6L (Single Family Residential).
- Applicant/Owner: Scott Grasmoen
 Request: **Variance** for reduced lot width in conjunction with the demolition of an existing single family residence and subdivision of the existing property into two lots
- Project Planner: Jenny Lee, Assistant Planner I
- Commission Action:** **Continued, up to 1 year to file application for development proposal.**
- 15.** File: **PLN2007-06505**
 Location: 4262 Davis Street, a 7,386 square foot lot located on the westside of Davis Street, approximately 80 feet south of Agnew Road (APN 104-12-019). Property is zoned rl-6L (Single Family Residential).

Applicants/Owners: Erumena and Jenafer Otovo

Request: **Variance** for a 2nd story expansion of a single family residence to allow a 3 foot sideyard setback where 5 feet is required, 29 feet 6 inches building height where 25 feet is the maximum allowed, 42% lot coverage where 40% is maximum allowed, substandard 2-car garage in conjunction with the demolition of a detached garage; and **Architectural Review** for 6-bedrooms/8-bathrooms proposed for a historically significant property.

Project Planner: Jenny Lee, Assistant Planner I

Commission Action: **Continued for redesign**

16. OTHER BUSINESS

Commission Procedures and Staff Communications

Public comment on these items may be limited to one minute, at discretion of the Chair

- a. Announcements/Other Items
- b. Report of the Director of Planning and Inspection
 - City Council actions
 - Commission/Board Liaison and Committee Report
 - Commission/Committee Assignments
- c. Commission Procedures
 - Planning Procedures
 - Work plan items
 - Follow-up on Possible Topics for Joint Meeting between Planning Commission and City Council: Discussion
- d. Study Session to Discuss Archaeology Issues and Possible Sub-Committee
- e. Update on Comprehensive General Plan Amendment Process/ General Plan Update

17. ADJOURNMENT – Meeting was Adjourned at 11:30 p.m .

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